

REMARKS

The Applicants request reconsideration of the rejection.

Claims 1-13 are pending, and were rejected under 35 U.S.C. §103(a) as being unpatentable over Walker et al., U.S. Patent 5,794,207 (Walker '207), in view of Kansal, U.S. Patent 6,647,374, (Kansal). The Applicants traverse as follows:

A key feature of the present invention subsists in the method or system in which an electronic commerce method is performed by inputting certain article detail and allocation point information from a selling terminal inputting article information and transaction information from a purchase terminal, and calculating a fee for the article transaction with reference to the allocation point information in correspondence with the article subject to the transaction. In independent Claims 1, 10, and 12 the fee is an intermediation fee. In Claims 2, 11, and 13, the fee is an indemnity fee.

By way of example only, Claim 1 is supported by the embodiment shown in Figure 6, which provides for an e-Marketplace which can communicate with both a selling terminal and a purchase terminal to enable a transaction between them.

The e-Marketplace calculates the intermediation fee for the article transaction with reference to the allocation point information in correspondence with the article. In a preferred application within Claim 1, the e-Marketplace provides an incentive to the seller, in accordance with the allocation point information, to perform transactions using the e-Marketplace, wherein the incentive is provided in accordance with transaction performed.

The Walker '207 patent discloses a method and apparatus for a commercial network system designed to facilitate buyer-driven conditional purchase offers. Essentially, in a reverse-auction procedure, Walker '207 provides a scheme whereby a purchaser can make a purchase offer for a yet-to-be-offered article or service, which offer can be accepted by a seller by communication via a controller. Walker's scheme, however, does not provide for inputting article detail information for an article for sale by an enterprise from a selling terminal as article information, or inputting the article information and transaction information indicating transaction of the article from the purchase terminal as article transaction information. Further, Walker '207 does not disclose the article transaction information, calculate a point number with reference to the enterprise ID

and transaction information from the article transaction information, and store the enterprise ID and point number in correspondence with each other as point information.

Moreover, article information and allocation point information are not input from the selling terminal according to Walker '207, and the article information and allocation point information are not stored in correspondence with each other, to form the basis for calculating an intermediation fee of the article transaction by reference to the allocation point information stored in correspondence with the article information concerning the article transacted. In addition, Walker '207 does not disclose the calculation of an indemnity fee for the article transaction with reference to the allocation point information.

Kansal is directed to a system and method of assessing and rating vendor risk and pricing of technology delivery insurance. More specifically, Kansal provides a scheme by which technology-based transactions can be made more risk-palatable in accordance with the rating of a vendor applying for a technology contract. However, Kansal does not disclose to calculate a point number with reference to an enterprise ID provided by a selling terminal, or with reference to transaction information from article transaction

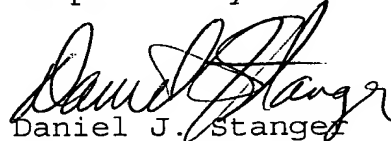
information provided by a purchaser. In addition, Kansal does not disclose to calculate an intermediation or an indemnity fee for the transaction with reference to allocation point information provided by the seller in correspondence with an article being transacted. Thus, Kansal does not teach that for which it is applied in the combination rejection.

In addition, there is no motivation in either Walker '207 or Kansal to modify Walker '207 to provide a point system for rating a vendor so as to include a risk assessment as part of the Walker transaction. Even if one were to apply Kansal's teachings of risk assessment to assess the risk of a Walker seller, there is no motivation to apply such risk assessment in Walker '207 to the calculation of an intermediation or indemnity fee with reference to allocation point information provided by the seller.

Applicants' representative respectfully request acknowledgement of the enclosed original certified priority document, JP-2001-210145, issued July 11, 2001, by confirming receipt in the next Office Action mailed to the Applicants' representative in due course.

In view of the foregoing amendments and remarks,  
Applicants respectfully request reconsideration of the  
rejections, and allowance of the claims.

Respectfully submitted,



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on January 24, 2005, by Hebbie Labring